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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/696,927	10/26/2000	Junichi Rekimoto	SONY-U0361	4756

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EXAMINER
PARTHASARATHY, PRAMILA

ART UNIT	PAPER NUMBER
2136	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/696,927	REKIMOTO ET AL.
Office Action Summary	Examiner	Art Unit	
	Pramila Parthasarathy	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 December 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-24</u> is/are pending in the application.

    4a) Of the above claim(s) <u>2-4</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1 and 5-24</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114.

2.   Applicant's submission filed on December 23, 2005 has been entered and made

of record.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of
making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the
art to which it pertains, or with which it is most nearly connected, to make and use the same and shall
set forth the best mode contemplated by the inventor of carrying out his invention.

3.   Claims 1, 5 – 24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The amended independent and new Claims 1, 9, 17, 23 and 24 read, " ...first user identification data corresponding to a first service identifier corresponding to a first service furnished by said service furnishing device and second variable user identification data corresponding to a second service identifier corresponding to a second service, wherein said first variable user identification data is different from said second variable user identification data and wherein said first service is different from said second service", "synthesizing means for synthesizing said fixed user identification data and said first variable user identification data", "service identifier holding means for holding said first service identifier corresponding to said first service to be furnished" and "where through said contact points A and B, said first service identifier is transmitted from said service furnishing device to said portable information processing device and then said authentication data as a response to said first service identifier is transmitted from said portable information processing device to said service furnishing device".

With respect to "first service", "first service identifier", "first user identification data", "first variable user identification data", "second service", "second service identifier", "second variable user identification data", the specification does not disclose

"first service", "first service identifier", "first user identification data", "first variable user

identification data", "second service", "second service identifier", "second variable user

identification data". The specification does not indicate how the first variable user

identification data is different from second variable user identification data, how the first

service identifier is different from second service identifier or how the first service is

different from the second service. Applicant amendment does not clarify "first service",

"first service identifier", "first user identification data", "first variable user identification

data", "second service", "second service identifier", "second variable user identification

data",

The dependent claims 2 – 8, 10 – 16 and 18 – 22 are rejected at least by virtue

of their dependency on the dependent claims.

4.   Applicant's remarks/arguments filed with respect to Claim 1 have been fully

considered but they are not persuasive.

Regarding amended independent Claims 1, 9, 17, 23 and 24, Applicant argues

that prior art (Alt and Nerlikar) do not teach "variable data storage means for holding

first user identification data corresponding to a first service identifier corresponding to a

first service furnished by said service furnishing device and second variable user

identification data corresponding to a second service identifier corresponding to a

second service, wherein said first variable user identification data is different from said

second variable user identification data and wherein said first service is different from

said second service". These arguments are not persuasive.

Alt et al. (U.S. Patent Number 6,580,356), teaches a personal identifier in which

the identifier includes a coded signal generating device adapted to be carried on the

body of a person identified thereby, which utilizes the body of the person carrying the

device as a transmission link for the coded signal generated thereby, to interact with an

identity recognition system. Furthermore, Alt teaches that the personal identification

selectively and automatically enables a specified operation or transaction to be

performed according to preset instructions, by means of a transmitter adapted to be

worn on the body of a person.

Nerlikar (U.S. Patent Number 5,629,981) teaches a security system, which

provides a secure; end-to-end fully automated solution for controlling access,

transmission, manipulation, and audit ability of high value information comprising an

RFID transponder badge and an RF reader transceiver which is associated with a host

peripheral or a network. Furthermore, Nerlikar teaches the RFID may comprise an

integrated ID, memory storage and a communication device.

Regarding amended independent Claims 1, 9, 17, 23 and 24, prior art teaches,

"variable data storage means for holding first user identification data corresponding to a

first service identifier corresponding to a first service furnished by said service furnishing

device and second variable user identification data corresponding to a second service

identifier corresponding to a second service, wherein said first variable user

identification data is different from said second variable user identification data and

wherein said first service is different from said second service", (Alt Column 8 line 3 –

Column 9 line 59 and Column 11 line 63 – Column 12 line 5).

Applicant argues that Nerlikar does not disclose or suggest, alone or in

combination with Alt, "variable data storage means for holding first user identification

data corresponding to a first service identifier corresponding to a first service furnished

by said service furnishing device and second variable user identification data

corresponding to a second service identifier corresponding to a second service, wherein

said first variable user identification data is different from said second variable user

identification data and wherein said first service is different from said second service".

Examiner points out that Nerlikar was not cited for "variable data storage means for

holding first user identification data corresponding to a first service identifier

corresponding to a first service furnished by said service furnishing device and second

variable user identification data corresponding to a second service identifier

corresponding to a second service, wherein said first variable user identification data is

different from said second variable user identification data and wherein said first service

is different from said second service".

Therefore, the examiner respectfully asserts that the cited prior art does teach or

suggest the amended subject matter "variable data storage means for holding first user

identification data corresponding to a first service identifier corresponding to a first

service furnished by said service furnishing device and second variable user

identification data corresponding to a second service identifier corresponding to a

second service, wherein said first variable user identification data is different from said

second variable user identification data and wherein said first service is different from said second service", broadly recited in the amended independent claims 1, 9, 17, 23 and 24. The dependent claims 2 – 8, 10 – 16 and 18 – 22 are rejected at least by virtue of their dependency on the dependent claims and by other reason set forth in this office action.

Accordingly, the rejection for the pending claims 1, 5 – 24 is respectfully maintained.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5.   Claims 1 – 15 and 17 – 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Alt et al. (U.S. Patent No: 6,580,356).

Regarding Claim 1, Alt teaches a contact point A contacting the human body to establish a communication path through said human body (Fig. 5 #10 and Column 6 lines 60 – 67);

fixed data storage means for memorizing fixed user identification data capable of identifying a user (Fig. 6 #63 and Column 11 line 63 – Column 12 line 5);

variable data storage means for holding first user identification data

corresponding to a first service identifier corresponding to a first service furnished by

said service furnishing device and second variable user identification data

corresponding to a second service identifier corresponding to a second service, wherein

said first variable user identification data is different from said second variable user

identification data and wherein said first service is different from said second service

(Fig. 6 #64; Column 12 lines 1 – 5 and Column 8 line 3 – Column 9 line 35); and

synthesizing means for synthesizing fixed user identification data stored in said

fixed data storage means and variable user identification data stored in said variable

data storage means (Fig.6 #60, Column 11 line 63 – Column 12 line 5 and Column 13

lines 10 – 22);

outputting means for outputting at least authentication data which is based on

said variable user identification data (Fig. 6 #60 and Column 11 lines 52 – 58); and

wherein said service furnishing device includes a contact point B contacting the

human body to establish a communication path through said human body (Fig. 4 #32

and Column 7 lines 20 – 27);

service identifier holding means for holding first service identifier corresponding

to said first service to be furnished (Column 10 lines 25 – 52); and

control means for controlling service execution based on the results of the

authentication processing which is based on said authentication data (Fig. 4 #33 and

Column 7 lines 20 – 31) and

wherein through said contact points A and B, said first service identifier is

transmitted from said service furnishing device to said portable information processing

device and then said authentication data as a response to said first service identifier is

transmitted from said portable information processing device to said service furnishing

device (Column 11 line 63 – Column 12 line 5 and Column 13 lines 10 – 22).

Regarding Claim 9, Alt teaches a contact point A contacting the human body to

establish a communication path through said human body (Fig. 5 #10 and Column 6

lines 60 – 67);

fixed data storage means for memorizing fixed user identification data capable of

identifying a user (Fig. 6 #63 and Column 11 line 63 – Column 12 line 5);

variable data storage means for holding first user identification data

corresponding to a first service identifier corresponding to a first service furnished by

said service furnishing device and second variable user identification data

corresponding to a second service identifier corresponding to a second service, wherein

said first variable user identification data is different from said second variable user

identification data and wherein said first service is different from said second service

(Fig. 6 #64; Column 12 lines 1 – 5 and Column 8 line 3 – Column 9 line 35); and

outputting means for outputting at least authentication data which is based on

said variable user identification data (Fig. 6 #60 and Column 11 lines 52 – 58).

Regarding Claim 17, Alt teaches a step of transmitting service identification data

from said service furnishing device to said portable information processing device

through said contacts B and A (Fig. 4 and Column 10 lines 25 – 52);

a step of storing first variable user identification data corresponding to a first

service identifier and a second variable user identification data a second service,

wherein said first variable user identification data is different from said second variable

user identification data and wherein said first service is different from said second

service (Fig. 6 #64; Column 12 lines 1 – 5 and Column 8 line 3 – Column 9 line 35);

a step of extracting variable user identification data corresponding to said service

identification data from said variable user identification data storage means in said

portable information processing device (Column 6 line 60 – Column 7 line 30);

a step generating data for authentication based on the variable user identification

data as extracted (Column 8 line 34 – Column 9 line 4);

a step of outputting said data for authentication from said portable information

processing device to said service furnishing device through said contact points A and B

(Fig. 4, Column 7 lines 20 – 29 and Column 9 line 5 – 23); and

a step of controlling service execution in said service furnishing device based on

the results of authentication processing for said data for authentication (Column 7 lines

20 – 31 and Column 9 lines 4 – 23).

Regarding Claim 23, Alt teaches a step of outputting service identification data

from said service furnishing device through said contact point B to said portable

information processing device, wherein said portable information processing device

stores first user identification data corresponding to a first service and second variable

user identification data corresponding to a second service identifier corresponding to a

second service, wherein said first variable user identification data is different from said

second variable user identification data and wherein said first service is different from

said second service (Fig. 6 #64; Column 8 line 3 – Column 9 line 35);

a step of receiving data for authentication generated by said portable information

processing device based on the variable user identification data corresponding to said

service identification data through said contact point B (Fig. 4 and Column 10 lines 25 –

52); and

a step of controlling the service execution based on the result of authentication

processing for said data for authentication (Column 7 lines 20 – 31 and Column 9 lines

4 – 23).

Regarding Claim 24, Alt teaches a step of storing in a variable data storage

means for holding first user identification data corresponding to a first service identifier

corresponding to a first service furnished by said service furnishing device and second

variable user identification data corresponding to a second service identifier

corresponding to a second service, wherein said first variable user identification data is

different from said second variable user identification data and wherein said first service

is different from said second service (Fig. 6 #64; Column 12 lines 1 – 5 and Column 8

line 3 – Column 9 line 35);

a step of receiving service identification data output from said service furnishing

device to said portable information processing device through said contact point A (Fig.

4 and Column 10 lines 25 – 52);

a step of extracting variable user identification data corresponding to said service

identification data from said variable user identification data storage means (Column 6

line 60 – Column 7 line 30);

a step of generating data for authentication based on the variable user

identification data as extracted (Column 8 line 35 – Column 9 line 4); and

a step of computing said data for authentication from said portable information

processing device to said service furnishing device through said contact point A

(Column 8 lines 34 – 65).

Claim 5 is rejected as applied above in rejecting claim 1. Furthermore, Alt

teaches means for generating user identification data for authentication corresponding

to a service to be furnished (Column 8 line 34 – Column 9 line 4 and Column 10 lines 25

– 52); and

wherein said portable information processing device is configured for receiving

user identification data for authentication generated by said means adapted for

generating user identification data for authentication from said service furnishing device

through said contact points A and B for storage as variable user identification data in

said variable user identification data storage means (Fig. 4 and Column 10 lines 25 –

52).

Claim 6 is rejected as applied above in rejecting claim 1. Furthermore, Alt

teaches user management means for executing authentication processing for a user

(Column 4 line 65 – Column 5 line 6 and Column 10 line 65 – Column 11 line 2);

said user management means having a registration table having registered

therein the user registration state and the service use state from one registered user to

another, said user management means being configured for executing the

authenticating processing based on said registration table (Column 4 line 65 – Column

5 line 50).

Claim 7 is rejected as applied above in rejecting claim 1. Furthermore, Alt

teaches service registration means for registering a service furnished to the user

(Column 4 line 65 – Column 5 line 6);

said service registration means including means for generating user identification

data for authentication corresponding to a service to be furnished by said service

furnishing device (Column 4 line 65 – Column 5 line 42, Column 8 line 34 – Column 9

line 4 and Column 10 lines 25 – 52);

said portable information processing device being configured for storing the user

identification data for authentication generated by said service registration means in

said variable user identification data storage means as variable user identification data

(Column 3 lines 15 – 28 and Column 8 line 52 – 65).

Claim 8 is rejected as applied above in rejecting claim 1. Furthermore, Alt

teaches wherein said first variable user identification data includes the information for

setting the service mode of a service furnished by said service furnishing device (Fig. 6

#64 and Column 12 lines 1 – 5).

Claim 10 is rejected as applied above in rejecting claim 9. Furthermore, Alt

teaches synthesizing means for synthesizing fixed user identification data stored in said

fixed data storage means and variable user identification data stored in said variable

data storage means (Fig.6 #60, Column 11 line 63 – Column 12 line 5 and Column 13

lines 10 – 22);

said synthesizing means generating authentication data which is based on said

fixed user identification data and said variable user identification data (Fig.6 #60,

Column 11 line 63 – Column 12 line 5 and Column 13 lines 10 – 22).

Claim 11 is rejected as applied above in rejecting claim 9. Furthermore, Alt

teaches said variable user identification data is stored in said variable data storage

means in association with a service identifier; wherein corresponding variable user

identification data is extracted from said variable data storage means based on said

service identifier received from said service furnishing device to output the data for

authentication which is based on the extracted variable user identification data (Column

10 lines 38 – 52).

Claim 12 is rejected as applied above in rejecting claim 9. Furthermore, Alt

teaches wherein said variable user identification data includes the mode setting

information for the service furnished by said service furnishing device (Column 10 lines

38 – 52).

Claim 13 is rejected as applied above in rejecting claim 9. Furthermore, Alt

teaches wherein said contact point A is curved in profile to follow the mounting side of

the human body (Fig. 2 A,B,C, Fig 3 A, B; Column 3 lines 24 – 41 and Column 12 lines

9 – 62).

Claim 14 is rejected as applied above in rejecting claim 9. Furthermore, Alt

teaches adapted for being mounted on one of a finger, an arm, a neck, a leg, a foot or a

head of the user (Fig. 2 A, B, C, D, F; Fig 3 A, B; Column 3 lines 24 – 41 and Column

12 lines 9 – 62).

Claim 15 is rejected as applied above in rejecting claim 9. Furthermore, Alt

teaches the portable information processing device enclosed in any of a wrist-watch, a

necklace, a ring, a hair band or bracelet (Fig. 2 A,B,C, Fig 3 A, B; Column 3 lines 24 –

41 and Column 12 lines 9 – 62).

Claim 18 is rejected as applied above in rejecting claim 17. Furthermore, Alt

teaches wherein the step of generating said data for authentication includes a step of

synthesizing said variable user identification data and said fixed user identification data

(Fig.6 #60, Column 11 line 63 – Column 12 line 5 and Column 13 lines 10 – 22).

Claim 19 is rejected as applied above in rejecting claim 17. Furthermore, Alt

teaches wherein said service furnishing device executes the step of authentication

processing executing the authentication processing based on said data for

authentication transmitted from said portable information processing device through

said contact points A and B (Fig.4 #33, #35 and Column 8 line 34 – Column 9 line 23);

said control step controlling the service execution based on the results of

authentication processing by said authentication step (Fig. 4 #33 and Column 7 lines 20

– 31).

Claim 20 is rejected as applied above in rejecting claim 17. Furthermore, Alt

teaches wherein said service furnishing device includes a step of generating user

identification data for authentication corresponding to a service to be furnished (Column

8 line 34 – Column 9 line 4 and Column 10 lines 25 – 52);

said portable information processing device is configured for receiving user

identification data for authentication generated by said means adapted for generating

user identification data for authentication from said service furnishing device through

said contacts B and A, and for storing the so-received data in said variable user

identification data storage means as variable user identification data (Fig. 4 and Column

10 lines 25 – 52).

Claim 21 is rejected as applied above in rejecting claim 17. Furthermore, Alt

teaches a user management step of executing authentication processing for a user

(Column 4 line 65 – Column 5 line 6);

said user management step including a step of generating a registration table

having registered therein the user registration state and the service use state from one

registered user to another (Column 4 line 65 – Column 5 line 42 and Column 10 line 65

– Column 11 line 2);

said authentication processing being carried out based on said registration table

(Column 4 line 65 – Column 5 line 50).

Claim 22 is rejected as applied above in rejecting claim 17. Furthermore, Alt

teaches a step of registering a service to be furnished to a user (Column 4 line 65 –

Column 5 line 6);

said service registration step including a step of generating user identification

data for authentication corresponding to a service furnished by said service furnishing

device (Column 4 line 65 – Column 5 line 42, Column 8 line 34 – Column 9 line 4 and

Column 10 lines 25 – 52);

said portable information processing device having a step of storing the user

identification data for authentication generated in said variable user identification data

storage means as variable user identification data (Column 3 lines 15 – 28 and Column

8 line 52 – 65).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

6.   Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alt et al

(U S Patent 6,580,356) in view of Nerlikar (U S. Patent No. 5,629,981).

Claim 16 is rejected as applied above in rejecting claim 9. Furthermore, Alt

teaches and describes a portable information processing device for executing the

communication with a service furnishing device through a human body (Fig. 4, 6 and

Column 6 line 26 – Column 13 line 22). Alt does not teach that the said fixed data

storage means and the variable data storage means are removable with respect to the

portable information processing device. However Nerlikar discloses a portable

information management (Fig. 1, 3A, 3B, 5A and Column 7 lines 6 – 22), wherein

said fixed data storage means and the variable data storage means are

removable with respect to the portable information processing device (Column 16 lines

12 – 67). Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to implement a method for implementing a portable

information processing device with fixed data storage means and variable data storage

means as taught by Alt et al. and to have the fixed data storage means to be removable to eliminate unauthorized use of the device. The motivation would have been to provide high level of security and authorization that allows concurrently providing user ID and personal ID verification.

Conclusion

7.   Examiner's Note: Examiner has cited particular columns and lines numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

8.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO Form 892.

Applicant is urged to consider the references. However, the references should be evaluated by what they suggest to one versed in the art, rather than by their specific disclosure. If applicants are aware of any better prior art than those are cited, they are required to bring the prior art to the attention of the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pramila Parthasarathy whose telephone number is 571-272-3866. The examiner can normally be reached on 8:00a.m. To 5:00p.m.. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-232-3795. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pramila Parthasarathy
February 10, 2006.

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